

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
YONG BIAO JI,

Plaintiff,

v.

AILY FOOT RELAX STATION, INC., doing  
business as Foot Relax Spa Station; LINDA  
FOOT RELAX SPA STATION, INC., doing  
business as Foot Relax Spa Station; XIANG  
MAN ZHANG, also known as Ailing Zhang;  
and KE XUE ZHENG,

Defendants.  
-----X

**ORDER**

19 CV 11881 (VB)

As discussed at a conference held today and attended by counsel for all parties, it is  
HEREBY ORDERED:

1. For the reasons stated on the record, defendants’ motion to dismiss for lack of jurisdiction, also labeled “motion for Rule 68 judgment” (Doc. #24), and “motion for more definite statement (bill of particulars)” (Doc. #28) are DENIED.

2. For the reasons stated on the record, defendants’ motions for the Court to reconsider its denial of the motions to dismiss or to allow defendants to amend such motions (Docs. ##9, 24) are DENIED.

3. For the reasons stated on the record, defendants’ motion for extension of time to file an answer (Doc. #30) is GRANTED. Defendant’s time to answer is extended to May 11, 2020.

4. By April 23, 2020, plaintiff’s counsel shall either (i) file an affidavit or declaration under penalty of perjury by the person with knowledge regarding the circumstances by which defense counsel purportedly accepted service of the summons and complaint, including by specifying the details of the conversation that person had with defense counsel with respect to

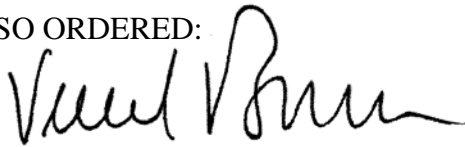
service, or (ii) advise the Court that plaintiff intends to arrange service of the summons and complaint upon defendants. If plaintiff chooses to serve the summons and complaint on defendants, plaintiff's time to do so is extended to May 20, 2020.

5. By June 1, 2020, (i) the parties shall file a stipulation of collective action under the FLSA, or (ii) plaintiff shall file a motion to certify this action as a FLSA collective action.

The Clerk is directed to terminate the pending motions. (Docs. ##24, 28, 30).

Dated: April 20, 2020  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti", written over a horizontal line.

Vincent L. Briccetti  
United States District Judge